

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

**THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN**

MONDAY, THE 22ND JANUARY 2007 / 2ND MAGHA 1928

MFA.No. 858 of 1999(B)

OPMV.1393/1995 of MOTOR ACCIDENT CLAIMS TRIBUNAL, TIRUR

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APPELLANT/3rd RESPONDENT

**THE ORIENTAL INSURANCE CO.LTD, TIRUR NOW REPRESENTED BY ITS
DEPUTY MANAGER, MOTOR THIRD PARTY CLAIMS CELL, M.G.ROAD,
KOCHI.**

BY ADV. SRI.MATHEWS JACOB (SR.)

RESPONDENTS: /PETITIONER AND RESPONDENTS 1 & 2

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- 1. ENNAZHIIYIL KUTTAN S/O KUTTAPPA, P.O.EZHUVANTHURUTHI, SIVAJI
NAGAR, PONNANI**
 - 2. PULIKKAL NAZER, S/O MAMU, CHANTHAPADI, P.O.PONNANI**
 - 3. K.ABOOBACKER, KUTTIKKATTIL HOUSE, KOTTATHARA, P.O
EZHUVANTHURUTHI, PONNANI**

BY ADV. SRI.K.RAMACHANDRAN

**THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 22/01/2007,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

K.S.RADHAKRISHNAN & M.N.KRISHNAN JJ.

M.F.A. No.858 OF 1999

Dated this the 22nd day of January 2007

JUDGMENT

Radhakrishnan.J

This is an appeal preferred by the Insurance Company. Though notice was served on the respondents there was no appearance . So the appeal is therefore allowed with liberty to the appellant to pay the amount to claimants within a period of two months and recover the amount from the owner or from the driver of the vehicle as such.

K.S.RADHAKRISHNAN, JUDGE

M.N.KRISHNAN, JUDGE

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